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Department Of Justice Identifies New York City, Portland And Seattle As Jurisdictions Permitting Violence And Destruction Of Property

Identification is Response to Presidential Memorandum Reviewing Federal Funding to State and Local Governments that are Permitting Anarchy, Violence, and Destruction in American Cities

The U.S. Department of Justice today identified the following three jurisdictions that have permitted violence and destruction of property to persist and have refused to undertake reasonable measures to counteract criminal activities: New York City; Portland, Oregon; and Seattle, Washington. The Department of Justice is continuing to work to identify jurisdictions that meet the criteria set out in the President's Memorandum and will periodically update the list of selected jurisdictions as required therein.

The list was published on DOJ's website today in response to President Trump's memorandum of September 2, 2020, entitled "Memorandum on Reviewing Funding to State and Local Government Recipients That Are Permitting Anarchy, Violence, and Destruction in American Cities."

"When state and local leaders impede their own law enforcement officers and agencies from doing their jobs, it endangers innocent citizens who deserve to be protected, including those who are trying to peacefully assemble and protest," said Attorney General William P. Barr. "We cannot allow federal tax dollars to be wasted when the safety of the citizenry hangs in the balance. It is my hope that the cities identified by the Department of Justice today will reverse course and become serious about performing the basic function of government and start protecting their own citizens."

Criteria for evaluating each city is below:

- Whether a jurisdiction forbids the police force from intervening to restore order amid widespread or sustained violence or destruction.
- Whether a jurisdiction has withdrawn law enforcement protection from a geographical area or structure that law enforcement officers are lawfully entitled to access but have been officially prevented from accessing or permitted to access only in exceptional circumstances,

except when law enforcement officers are briefly withheld as a tactical decision intended to resolve safely and expeditiously a specific and ongoing unlawful incident posing an imminent threat to the safety of individuals or law enforcement officers.

- Whether a jurisdiction disempowers or defunds police departments.
- Whether a jurisdiction unreasonably refuses to accept offers of law enforcement assistance from the Federal Government.
- Any other related factors the Attorney General deems appropriate.

New York City

- Shootings in New York City have been on the rise since looting and protests began on or about May 28, 2020. For July 2020, shootings increased from 88 to 244, an increase of 177% over July 2019. In August 2020, shootings increased from 91 to 242, a 166% increase over August 2019.
- While the city faced increased unrest, gun violence, and property damage, the New York City Council cut \$1 billion from NYPD's FY21 budget.
- The budget resulted in the cancellation of the new police recruiting class, cuts to overtime spending, and the transfer of certain police functions, including school safety, out of the NYPD.
- Meanwhile, the Manhattan and Brooklyn District Attorneys have declined to prosecute charges of disorderly conduct and unlawful assembly arising from the protests, and the District Attorneys in Queens and the Bronx have declined to prosecute other protest-related charges.
- Both Mayor de Blasio and Governor Cuomo have forcefully rejected federal law enforcement support.

Portland, Oregon

- This month, Portland marked 100 consecutive nights of protests marred by vandalism, chaos, and even killing.
- Those bent on violence regularly started fires, threw projectiles at law enforcement officers, and destroyed property. Numerous law enforcement officers, among others, suffered injury.
- Shootings increased by more than 140% in June and July 2020 compared to the same period last year.
- In the midst of this violence, the Portland City Council cut \$15 million from the police bureau, eliminating 84 positions. Crucially, the cuts included the Gun Violence Reduction Team, which investigates shootings, and several positions from the police team that responds to emergency incidents.
- In August, Portland Mayor Wheeler sent a letter to President Trump expressly rejecting the Administration's offer of federal law enforcement to stop the violent protests.

Seattle, Washington

- For nearly a month, starting in June, the City of Seattle permitted anarchists and activists to seize six square blocks of the city's Capitol Hill neighborhood, naming their new enclave the "Capitol Hill Autonomous Zone" (CHAZ) and then the "Capitol Hill Occupied Protest" (CHOP).

- Law enforcement and fire fighters were precluded from entering the territory. The Seattle Police Department was ordered to abandon their precinct within the CHOP.
- Person-related crime in the CHOP increased 525% from the same period of time in the same area the year before, including by Mayor Durkan’s own count “two additional homicides, 6 additional robberies, and 16 additional aggravated assaults (to include 2 additional non-fatal shootings).”
- The CHOP was allowed to stand for nearly a month, during which time two teenagers were shot and killed in the zone.
- The Seattle City Council, Mayor Durkan, and Washington Governor Jay Inslee publicly rejected federal involvement in law enforcement activities within the city of Seattle.

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